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ABSTRACT

This paper examines school choice reforms in one key state, within the broader context of public education and privatization. Choice advocates describe the public nature of charter schools in terms of access, funding, choice, and effects. Critics see charter schools as precursors to more market-based reforms such as vouchers. In reviewing the strategies and agendas of Michigan choice proponents, this analysis distinguishes between two competing views of "public" education. While institutionalists focus on organizational arrangements such as ownership, processes, and governance, instrumentalists point to the service that agencies provide in imparting academic skills as part of a mass education system. In this case, policymakers promoting the reforms embraced the instrumentalist approach in advancing charter schools as an initial step toward a voucher-style system. They attacked state provision, portraying charters as apolitical alternatives that blur popularly held public-private distinctions in reconfiguring the concept of public schooling to include any agency serving an academic mission. This analysis concludes by discussing the implications of this instrumentalist view, noting that schools are not privatized in form, but in essence. The purposes driving education are "commodified" as private goods for those pursuing education services, albeit in a nominally public system. (Contains 132 references.) (Author/RT)

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Teachers College, Columbia University

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Institutionalist and Instrumentalist Perspectives on "Public" Education: Strategies and Implications of the School Choice Movement in Michigan

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Introduction

Debates over school choice effectively illustrate the passion between competing visions of how to provide educational services for children. The tension between these visions speaks to the conflicting values embedded in, and advanced by, the endeavor we know as "public education." While some observers emphasize the value of political processes, others maintain that the focus should be on people, not systems. Education reformers often stress academic achievement and economic competitiveness, while others speak of abstract ideals such as democracy and equity. Many argue that too much attention is given to institutional issues, at the expense of individual children. The school choice movement cuts to the heart of these issues, offering an agenda through which to address chronic disagreements over how to provide education. This paper examines the intentions, agendas, and strategies of choice advocates in a state leading in school choice reforms. The analysis assesses the role of charter schools as a popular approach in the wider choice movement, and as a component in reconstructing the public aspect of public education. In doing so, the analysis identifies two prominent approaches to defining the nature of institutions—an important but unexamined issue underlying competing visions of public education.

Indeed, arguments for and against many forms of choice—and charter schools in particular—revolve around different notions of "public education." The charter school movement has been embraced by policymakers and the public largely on the understanding that these schools represent a new form of public education. Proponents claim that charter schools preserve the integrity of the public school system, since charter schools themselves are "public" schools (e.g., Manno, Finn, Bierlein, & Vanourek, 1998; Nathan, 1996, 1998; Vanourek, Manno, Finn, & Bierlein, 1997). Rofes (1998, p. 27), for example, contends that the primary contribution of charter schools is in "allowing entities other than the traditional school districts to offer something which is considered 'public education.'"

Yet critics contend that charters are part of a larger privatization agenda—that these schools establish the precedence for funneling public money to what are essentially private forms of education, thus sending schools down the slippery slope toward vouchers and other market-based forms of education. However, charter advocates note the public role in funding, governance, ownership, and choosing these schools when they invoke the label of "public" in describing their schools. Hence, according to this logic, charters can reform and

reconstitute public schooling, thereby maintaining "the public" in public education, and precluding privatization.

By examining the advocacy of charter schools in a key state, this analysis distinguishes between two competing conceptions of the "public" aspect of educational organizations: an *institutionalist* approach that focuses on processes and organizational arrangements of schools, and an *instrumentalist* perspective that highlights the mission and effects of educational agencies. The study illustrates the strategies used by instrumentalists in reconstructing the institutionalist concept of public education to include other agencies previously held to be "private"—an important element in a market-oriented agenda. However, in an important sense, debates about the public and private nature of schools represent a distracting dichotomy, as even schools traditionally considered to be "public" now contribute to a general privatization of the purposes of education. That is, even though institutions are not necessarily private in form, the purposes driving education are increasingly private in essence, leaving a nominally public system bereft of many of its public purposes.

Charter Schools As Public Schools

In some respects, the assertion of the public nature of charter schools is a curious claim. In many other sectors, the "public" label carries negative connotations of poorer service, waste, or danger. Consider, for instance, the relative value of public housing, public clinics, or public transportation. Nevertheless, charter advocates consistently note that charter schools are *public* schools. Although relatively few critics actively challenge the assertion, advocates apparently feel the need to emphasize that label. However, this assumption neglects the underlying question of how we define public education. Perhaps more importantly, it obscures the intentional and explicit agenda of some reformers to cultivate new, consumer-style conceptions of what we mean by "public" when it comes to education.

Michigan is an important site from which to study the reconstruction of public education. According to charter proponents, Michigan is a leading state in the charter movement, having one of the "strongest" charter laws in terms of factors such as ease of entry, autonomy for providers, funding, etc. (Center for Education Reform, 2000, 2001; Price, 1998; Schneider, 1998; Viteritti, 1999). While Michigan is not typical or representative

of the charter school movement in many respects, the fact that charter proponents hold it up as a model for the wider reform movement suggests that the state epitomizes the direction that reformers would like for the nation. Thus, Michigan offers an interesting case through which to examine the role of charter schools in reconstructing public education.

Since reconfiguring popular conceptions involves shaping the views held by "the public," such endeavors are advanced in rhetoric intended for public audiences. Indeed, instead of emerging from widespread grassroots activism or overwhelming concern about the state of local schools (see below), school choice programs in Michigan were successfully promoted by a distinct set of individuals and organizations representing specific interests on education. Therefore, to understand the agenda for choice in Michigan, this analysis studies the ideas of those policymakers who championed the reforms.

The greater part of this analysis is concerned chiefly with the strategies employed by reformers in reconfiguring the definition of public education. The concluding discussion returns to the question of how charter schools fit into definitions of public education and into agendas of privatization. In view of the efforts of reformers to re-make education into a private good, this study demonstrates that charter schools play a central role for instrumentalists in redefining public education and securing wider acceptance of market models for schooling. While charter schools are indeed "public" schools in many respects, this paper highlights the use of charter schools by reformers such as those in Michigan to advance an agenda of privatization that reconstructs education as a private good.[1]

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[1] In economic terms, two characteristics generally define a public good. If the addition of another user does not diminish the use of a good to others to any significant degree, it is said to exhibit a "jointness of supply" or be non-rival: like a parade, the protection afforded by the military, or any inexhaustible resource. Furthermore, if a good is available to all and it is not feasible or cost-effective to exclude people, such as non-payers, from the use of a good, it is said to be non-exclusionary: as with public roads or clean air (Bishop, 1995; Fisher, 1988; Olson, 1965). Neither of these characteristics unequivocally describes public education. The non-rival aspect is arguable, at best. The addition of students to a class, for example, enlarges class size, which impacts "use" for others. And, while it is unconstitutional to exclude students from the public schools as a system, students are often excluded from specific uses based on ability or residency requirements (which approximate a pay system in some ways). In the absence of these aspects, economists look for "spillovers" or externalities—positive or negative. That is, seeing the relationship between the immediate consumer and producer as an economic-type transaction, they look to see if there are secondary effects that are enjoyed (or suffered) by parties outside of the immediate transaction. Mass education is often treated as a public good, according to this definition, because the by-products of multiple transactions are enjoyed by society as a whole: broadly distributed schooling is associated with lower crime rates, higher social cohesion, higher skilled workforce, decreased polarization, and so forth. It is in this sense of the broader societal effects of mass education that I am using the term "public good" in reference to schooling (see also Labaree, 2000). Private goods, on the other hand,

Michigan's Education Reform in the1990s

On October 5, 1993, Michigan Governor John Engler stood in front of the assembled state legislators with a 20-gauge sawed-off shotgun and voiced his support for school choice. The gun was more than simply the "good theater" applauded by *The Detroit News*. The Governor brandished the gun, "confiscated from a student, to dramatize school violence and promote his plan to allow parents more leeway in choosing the schools their children attend." According to the Governor:

> The total funding level of schools will be determined by how many students they can retain or attract. The schools that deliver will succeed. The schools that don't will not. No longer will there be a monopoly of mediocrity in this state...because our kids deserve better.

The political theater did not end there. The Governor asked a 9-year-old student to stand up from his reserved seat in the gallery. The student's family wanted to transfer him from their small rural school district to one with a gifted program, but their request was denied by the home district seeking to retain per-pupil funds. "It was a small district," according to the father, "Children are dollar signs in their system." The Governor declared: "It's because of experiences like yours…that we need real change. This plan's for you" (Engler, 1993a; see Basheda, 1993; Hornbeck, Basheda, & Cole, 1993; King, 1993; Weeks, 1993).

The connection between the child's plight and the shotgun was telling. The Governor was portraying a public school system in a deep state of crisis due to its governance structures—"Public education is a monopoly, and monopolies don't work" (quoted in King, 1993). The link was clear: public schools fail in promoting academic excellence just as they fail to promote character and values because they rely on a captured clientele. Shielded from competition, they have no incentive to respond to the preferences of parents.

Governor Engler was a principal figure in a loose coalition launching a comprehensive choice system for public education in Michigan in the 1990s. Charter schools—or, in Michigan, "public school academies"—represent a central element in these education

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generally refer to goods for which the benefits accrue to individuals, and are therefore left to the control of individuals.

reforms, and not only because they offer increased choices for parents. More significantly, key reformers in Michigan conceived of charter schools as playing an essential role in redefining public education into a private good to be individually pursued by consumers through business-style arrangements. This, they argue, will prepare the general public for school reforms more aligned with market models.

The Politics of Reform: Interest Groups and Policy Players

While national organizations and interest groups engage in high-profile debates over various forms of school choice, the issue is decided largely at the state level, where legislators, bureaucrats, policy entrepreneurs and activists embrace or reject school reform policy packages. Starting in the 1990s, Michigan became one of the leading sites for implementing school choice programs. There, a loose coalition of interest groups and policymakers with a common allegiance to school choice promoted market-oriented reforms as the necessary remedy for the apparent malaise of "government monopoly schools." The most prominent individuals and organizations include the following:

- **Governor John Engler** overcame the opposition of the Michigan Education Association in defeating an incumbent Democrat in 1990. Engler consistently and actively supported school choice throughout the decade as a way of "blowing the doors open on our education system" (according to his spokesman, quoted in Sanchez, 1995). In advancing charter schools, Engler (1993b) predicted "nothing less than a renaissance of public education in Michigan" which, by then end of the decade, would make Michigan's schools "the envy of the world."
- **The Mackinac Center for Public Policy** Midland is one of largest state-based think tanks in the US. Started by Engler and others to advance free-market approaches to public policy, the Mackinac Center promotes privatization across a number of issues, particularly education, where it advocates a universal tuition tax credit (e.g., Anderson, McLellan, Overton, & Wolfram, 1997; Reed, 1994). Funded largely by the Dow and DeVos (Amway) families, foundations, and corporations, this organization channels the research and advocacy efforts of its associated scholars in setting the philosophical groundwork for privatization reforms. These academics and policy analysts write opinion pieces and research reports directed at shaping public and policymaker opinion.

- **Michigan's State Board of Education** (SBE) was instrumental in its public advocacy of drastic and immediate school reform, primarily through the mechanisms of choice, competition, and charters. Constitutionally, the SBE is nominally responsible for overseeing public and non-public elementary and secondary education in Michigan. But it wields some influence over the tone of public debates on education through public meetings and statements. As SBE president, W. Clark Durant III, a wealthy lawyer with ties to religious conservatives and scholars affiliated with the Mackinac Center (e.g., Allen, 1996), directed a failed effort to eliminate school districts in favor of publicly-traded "Public Education Corporations"—with each Michigan resident initially getting one share. Sponsored by Engler after failing to win elective office, Durant was also a founding board member of the Education Leaders Council, which is affiliated with the pro-charter Center for Education Reform.
- **Key conservative legislators** were particularly active in the 1990s on educational governance, accountability, and funding issues—as opposed to curricular reforms, for instance. As but one example, Engler protégé Bill Schuette was appointed to fill a legislative seat (that included the headquarters of Dow Chemical in Midland) after failing in his run for US Senate. Concerned about the influence of "big government," Schuette introduced the "Michigan Education Freedom Act" because "Our children belong to us, the parents, not the state" (quoted in Wahlberg, 1995).
- **The TEACH Michigan Education Fund** (now "Michigan Learning") enjoyed support from major business groups in the state as well as from some of the most prominent families in Michigan, including heirs to the Dow, Fisher Body, and Amway fortunes. Run by pro-voucher activist (and current state Representative) Paul DeWeese during its heyday in the 1990s, it was instrumental in promoting —indeed, authoring—the original charter school legislation in Michigan. Along with the Chamber of Commerce, TEACH Michigan formed the Michigan Center for Charter Schools to promote and provide resources for these schools. TEACH Michigan has or had ties to the Mackinac Center (e.g., Reed & Hutchison, 1991), Edison Schools, Inc. (e.g., DeWeese, 1996c), and religious conservatives advocating public funding for faith-based organizations (Irvin, 2001). Members publish op-ed columns attacking "government schools" (e.g., DeWeese, 1995, 1996b; Heiderson, 1996)—for example, one board member and charter operator wants to "blow up the existing system" (quoted in Andrejevic, 1995a). TEACH Michigan has made clear that its support for school

choice goes well beyond charter schools—the organization sees charters only as a stepping stone to a more "radical" version of a pure, free-market model (DeWeese, 1994).

Within this cast, there are important differences in emphasis and ideology between these groups. For example, the Mackinac Center's neoliberal appraisal of the efficiency of market-driven education contrasts with neoconservatives' insistence on parental rights to choose as a matter of justice in itself (see Morken & Formicola, 1999). Nevertheless, this often curious coalition found common cause on the issue of education reform where, taken together, the efforts of these individuals and groups advance a policy agenda that has shaped a relatively comprehensive school choice environment. Open-enrollment policies cast parents as the schools' customers and, therefore, the ultimate arbiter of a child's education. Administrative reforms shifted responsibilities and resources away from the Michigan Department of Education to commerce officials, highlighting the economic functions of universal schooling. Reforms in funding structures required districts to become more aware of, and responsive to, the needs and wants of families, or else face the loss of per-pupil state funding. Policymakers discarded core curricular requirements in favor of more decentralized decision-making, albeit in view of a strengthened state assessment program. However, while these reforms focused mostly on existing district-run schools, policymakers hoped to encourage alternative options, innovation, accountability, and effectiveness in this statewide choice system largely through the new vehicle of charter schools (Lubienski, 2001b).

Specific themes emerge when examining the public record from these groups. As is often the case with education reform, activists and policy advocates portray a crisis in the state of education (Levin, 1998). In the 1990s, in the wake of reports and reforms following *A Nation at Risk* (National Commission on Excellence in Education, 1983), reformers focused attention on the apparent relationship between low academic achievement and lagging economic competitiveness (e.g., Engler, 1993a, 1999b). DeWeese (1991, p. 4) notes: "It is clear that something is fundamentally wrong with the educational system in the United States. Television, newspapers, and the newsmagazines have all given notice to the fact that we have, in fact, reached an educational crisis." In promoting school choice, the SBE (1995b) echoes the conventional wisdom on schools: "School reform is vital as Michigan enters the new century because: **Public Dissatisfaction** with the public schools is mounting; **High Dropout Rates** continue to persist; **Business** demands school reform; and **Global Competition** is forcing major reform" (emphases in original). Engler's solution is

not more money, "but on how to spend more effectively," since "enormous resources" have already been wasted on an inefficient system (quoted in Borowski, 1996). Many contend that the status quo of mediocre schooling results from a monopolistic education system administered by the government (e.g., DeWeese, 1996c; Durant, 1996; Engler, 1999a; Lutz & Durant, 1996). This over-regulating system is therefore responsible for "all manner of ills: student boredom, violence, dropping out, parental dissatisfaction, academic mediocrity, teacher burnout, and a decline in personal behavior and standards" (Durant, 1997, p. 360). Consequently, reformers identify the freedom and efficiencies of market mechanisms such as choice and competition as the obvious alternative (e.g., DeWeese, 1991; Engler, 1995, 1996; Lundy, 1996; Reed, 1997).

The Need for a New Model of Public Education

Reformers faced two significant problems in moving towards a market-driven system. First, according to public opinion indicators, residents are chronically apathetic or ambivalent, at best, on the need for drastic reform. With the obvious exception of urban areas with high densities of poverty, Michigan residents—like many Americans—are relatively and consistently satisfied with their local public schools (Daubenmier, 1995; Public Sector Consultants, 1997, 1999). Consequently, rather than focus on the attitudes of citizens or taxpayers in general, policy innovations like charter schools allow reformers to tap into specific currents of disaffection through parents dissatisfied with existing public education options. Therefore, instead of repeating economic-style efficiency arguments to a relatively uninterested audience, school choice advocates can advance their ideas in moral terms by appealing directly to a parent's presumed right to choose.

Secondly, targeting a particular (and relatively small) group of voters does not change the overall legal framework that constrains efforts to bring about broader school choice beyond the state sector. Indeed, the Michigan Constitution is the strictest of all states in prohibiting the use of public money for private-religious schooling (Morken & Formicola, 1999; Overton, 1997). Thus, many evangelical Protestants and some elements within the Catholic church note that their children are effectively excluded from the benefits of publicly funded choice of schools. Yet Michigan voters have repeatedly and soundly rejected referenda on vouchers or other public funding for non-public schools.

Therefore, faced with these obstacles, reformers recognized the need to redefine what is meant by "public" schooling in order to extend publicly funded choice beyond traditional conceptions of public education. This is evident in both explicit calls to broaden the definition of public education, and in implicit efforts to shift the criteria commonly used to categorize institutions. DeWeese (1994), for instance, notes that "it is difficult to convince the public" to accept a new definition (p. 31). Thus, because "our citizens have come to a distorted view," he seeks

> to establish a high-level blue ribbon commission to establish an entirely new conception of public education. This would lead to a foundational paradigm shift in the broader public understanding of public education. This new philosophical framework would establish a broad-based and fundamental restructuring of public education. (p. 35)

Former Detroit superintendent McGriff (1996), now a TEACH supporter with Edison, also argues for a "redefined paradigm" as the key to a sea change in educational provision.

The problem, then, is how to overcome the obstacles listed above in establishing this new definition. The following section highlights three elements emerging from a review of the public statements of choice advocates regarding the ways in which policy innovations like charter schools can help "redefine" what we mean by public education.

Strategies in Re-Constructing Public Education as a Private Good

Preparing the Public for Consumer-Oriented Reform

One of the principal attractions of charter schools for education reformers across the political spectrum is that these schools infuse choice into the public system. Thus, many embrace charters as a way to pre-empt calls for vouchers, for example, by endorsing parental choice in a revitalized public education system, while still others argue that charters offer a vehicle to advance teacher professionalism and empowerment (e.g., Budde, 1988; Fitzgerald, 1995; Gelberg, 1997; Kolderie, 1990, 1993). On the other hand, market advocates in Michigan see charters as an initial step in cultivating a constituency, establishing precedence, and mainstreaming acceptance for wider choice outside of traditional public schools. Representatives of TEACH Michigan and the SBE, for instance, explicitly comment on the

usefulness of charter schools in reconfiguring the debate about public funding for non-public schools. DeWeese (1994)—whose organization authored the charter school bill—is clear on this strategy: "The significance of the charter school reform cannot be overemphasized in terms of helping to prepare the public for broader educational reform" (p. 32).

Reformers reason that the widespread acceptance of charter schools will make other, more "radical" elements of their reform agenda appear less draconian (DeWeese, 1994, p. 35). DeWeese claims that setting the charter school agenda "made it much easier to advocate extending the same financing system to independent schools. The administrative position is already well in place and people are developing a sense of acceptance that it works well" (p. 32). In advancing vouchers a few years later, the author of Michigan's charter school legislation would celebrate the success of charter schools in that they "created a climate where parental choice of schools was increasingly accepted" (McLellan, 2001, p. 17).

Such a strategy suggests that reformers recognize a need to shape the range of policy alternatives acceptable in public debates (on setting and shaping agendas and constraining alternatives, see Kingdon, 1984). For example, Durant's Education Leaders Council ([ELC], 1995)—in its commitment to "changing the terms of the education debate in this nation"—identifies its agenda as "true" reform, while dismissing other alternatives:

> True education reforms are those which: center on the needs and choices of families... Education reform will not be achieved through a continued fixation on increasing budgets and promulgating regulations... The true reforms that were essential to the improvement of public education...reforms such as charter schools, standards-setting, and teacher autonomy....fill the void that existed in the education establishment.

Therefore, reformers see charter schools as a vehicle for shifting common conceptions of "public education" toward a more market-driven model of consumer choice and competition between independent and private schools. To that end, two other tactics appear to be effective in shaping the debate on "public" education. First, Michigan charter advocates cast their reforms as an apolitical effort on behalf of children and their families, in contrast to a self-interested defense of the status quo by the "education establishment." Secondly, they propose charter schools as a device to blur distinctions between popularly-held conceptions of "public" and "private" institutions.

Charter Schools as an Apolitical Reform

Many of the reformers in Michigan portray their proposals as apolitical, or, more accurately, as an effort to *de-politicize* public education. Charter advocates depict public schools in a quagmire due to the fact that they are captured by an overly-politicized bureaucratic system—one too susceptible to political control in its perceived monopoly status. Durant (1997, p. 362), for example, describes the traditional school governance system as a "politicized education system" that needs to be "de-politicized." Yet despite the radical nature they assign to their proposals, policymakers and advocates in Michigan do not seem to view their reforms as *political* changes so much as a natural (and superior) *economic* form of providing social services such as education. Choice advocates then see themselves acting simply on behalf of children and families in pursuit of excellence—as opposed to their opponents' politicized defense of the institutional status quo.

As public choice theory motivating these reforms would have it, public administration necessarily leads to "provider capture" as bureaucrats—shielded from competition in their monopoly status—redirect the system to serve their own special interests, rather than "consumers" or the public. Whereas some observers see universal education as an endeavor directed towards the general welfare of democratic society (and, as such, necessarily under direct public governance), public choice theory recognizes no public spiritedness, and denies motivations to enhance the common good. Based on economic-style analysis of political processes, public choice theory tends to disparage democratic institutions due to their reliance on "politicized" and bureaucratic decision-making—processes indicted for causing what economists see as the twin evils of inefficiency and ineffectiveness (on public choice theory, see Borcherding, 1977; Buchanan, Tollison, & Tullock, 1980; Niskanen, 1971). In the case of pubic education, public choice theory castigates "the education establishment"—teachers unions, school boards, administrators, etc.—as a bureaucratic leviathan responsible for politicizing the provision of academic skills (Levin, 1997; Levin & Young, 1999; Lubienski, 2001d; see, e.g., Chubb & Moe, 1990, 1991; Friedman, 1994). In Michigan, the Mackinac Center likes to cite the late union leader Al Shanker —"I'll start representing kids when kids start paying union dues"—as evidence of provider capture (Heartland Institute, 1998; see e.g., Brouillette, 1999; Munk, 1999).

Thus, for example, DeWeese (1994) calls schools "a self-protective, rule-driven, bureaucratic monopoly." He sees political control as a system of winners and losers,

bureaucratic fiats, state coercion, inefficiency and failure. A TEACH Michigan board member complained: "As a businessman, I have little patience with education bureaucrats" (Hetzler, 1997). Engler (1993b) advanced charter schools as catalysts to public schools "too often crushed by mountains of bureaucratic regulations and paperwork." Since the problem is too much government involvement in the provision of public education, the market represents the obvious and "apolitical" alternative through the mechanisms of choice and competition.

Whereas market-oriented reformers in Michigan equate public control with coercion, they see liberty in the voluntary aspect of participation in the market (e.g., Reed, 1998). Many, such as Durant (1997), Schuette (in Andrews, 1995), and Engler (in Borowski, 1995), compare the politically administered education system to Soviet-style central planning—and portray themselves as liberators or revolutionaries coming to tear down the "Berlin wall" or "blow up" the existing system in "the quest for educational freedom." On the other hand, Durant (1997, p. 363) contends that:

> There is no loser in a voluntary transaction free of force or fraud. Everyone wins—otherwise the trade wouldn't take place. ... Exchange in the market is characterized by win-win results. Billions of these two-sided victories take place each day all over the world.

Michigan charter school proponents see and portray public schooling as a business—albeit one that has fallen into politics through its existence as a monopoly. Consequently, they identify the appropriate location of public schooling squarely in the logic of markets.

Blurring Criteria for the New "Public" Schools

As a means for promoting movement toward market-driven models for education, charter school proponents in Michigan seek to erase a vague but popularly assumed boundary between "public" and "private" spheres in education. For instance, DeWeese (1994) advocates charter schools "being established by faith communities [which] will blur the distinction between 'religious' and 'secular' public education.... in the public's mind it will help generate an acceptance" of public funding for nonpublic schools (p. 34). Yet, while reformers hope to use charter schools in making boundaries between "public" and "private"

less distinct, it could be argued that the borders between public and private spheres are already relatively blurred.

Indeed, in the scheme of institutional forms in the US context, simple dichotomies between "public" and "private" entities tend to obscure the inter-related nature of forms across the range of organizational structures. In many fields, including education, what may seem to be obvious distinctions between public and private are often, on closer examination, relatively arbitrary boundaries drawn in nebulous, shifting, and tenuous grounds. For instance, while some see a chronic tension between public politics and private markets in American institutionalism (e.g., Bowles & Gintis, 1986; Chubb & Moe, 1990), theoreticians such as Kuttner (1997) have demonstrated the interdependence of the two areas—markets cannot exist outside of politics. Similarly, Cohen (1982) has shown that a greater government role in education policy has not necessarily come at the expense of private interests, but in fact often expands the authority of private entities. Thus, whereas some ideologues assume a zero-sum relationship between public and private entities (the more resources going to one, the less to the other), some observers now question the very analytical usefulness of these concepts (Gintis, 1995). In fact, the history of educational institutions in the US challenges assumptions of simplistic dichotomies between "public" and "private" from colonial times onward, as institutions often blended our current ideas of "public" and "private" in their governance, resources, and benefits (Beadie, 1999; Jorgenson, 1987; Kaestle, 1983; Labaree, 1988; Lubienski, 2001c; Tyack, James, & Benavot, 1987).

Nevertheless, the theoretical underpinnings motivating choice—namely public choice theory and other variants of neoliberal and neoclassical economics—assume a stark distinction between "public" and "private" institutions as the analytical basis for diagnosing the ills of American education (e.g., Chubb & Moe, 1990; Friedman, 1995; Kolderie, 1990; Osborne & Gaebler, 1992). From this perspective, the problems with America's schools have to do with the public nature of "direct democratic control," while the solution appears in the efficiencies and effectiveness of private schooling. Therefore, an obvious approach for reforming education is to move the locus of control towards private, market-style arrangements. Blurring the presumed boundary between public and private institutions represents an important—albeit initial—step in this process. So DeWeese (1994, p. 34), for example, stresses the significance of charter schools in muddying the "prior distinction between government schools and independent schools." He emphasizes the "importance of

eliminating the distinction" in order to counteract popular concerns about public funding for independent schools that lack public regulation and accountability.

But there are competing perspectives on what is meant by "public" accountability. Since the political victories of the common school reformers, public schools have been theoretically accountable through political and administrative channels (school boards and bureaucrats) to a broad "public" comprised of citizens (Lubienski, 2001a). While charter schools maintain an element of this form of accountability through the public nature of most chartering agencies, the point of charter school reforms is to diminish political accountability and bureaucratic administration. Rather than trying to serve the broader public with the impossible mandate of being all things to all people, charter schools are designed to be responsive primarily to their immediate constituencies or "customers"—the families that choose them. They must seek to please those families or they will "go out of business," according to Engler's spokesperson (quoted in Walsh-Sarnecki, 1999; see also Durant, 1996; MSBE 1996). Hence, the old model of public accountability was manifest through political institutions in the voting public; the new model is economic, exercising business-style accountability to the consuming public (Lubienski, 2001c).

Michigan reformers explain this new understanding of accountability not in terms of institutional arrangements such as public ownership and governance, but in terms of individualized possession and use. Charter advocates in Michigan reject the idea of societal ownership and broader community control. Instead, they allude to individual property rights. Although public schools may be public property, Durant makes a distinction on behalf of taxpayers: "They are not the *owners*. They are the *payers*. Keep in mind...that collective ownership really means no ownership at all" (p. 363, emphases in original).

Therefore, popular distinctions between "public" and "private" provision and accountability are intentionally muddled within a nebulous range of schools chosen by consumers. Hence, when choice advocates use the term "government school," they imbue the label with the purpose of exploding the definition of "public" schooling. So, as but one example, when McGriff (1996) distinguished her for-profit "public school academies" from "government-run schools," she not only cast aspersions on the quality of traditional public schools, but exploded the definition of public schools to make room for what had previously been considered a private agency.

Instrumental and Institutional Approaches to Public Education

In lieu of the old conception of "public education" based on public ownership or public governance, Michigan charter advocates advanced a new, alternative conception of public education defined by organizational agency and use—substantially in opposition to "the government education monopoly." In an argument reminiscent of Milton Friedman's (1955, 1962) focus on publicly funded nonpublic provision, McGriff (1996) noted the need for "redefining public education." To be "public," a school "need not be managed by a government agency, staffed by government employees, and regulated by a government bureaucracy" (McGriff, 1996). Instead of a definition based on such institutional characteristics, Michigan charter proponents essentially endorse Chester Finn's contention in *America 2000* that the concept of "'public school' should be broadened to mean any school that serves the public and is held accountable by a public authority" (U.S. Department of Education, 1991, p. 31).

For example, McGriff (1996) embraces just such a user-based conception when she declares that a school is "public" if it is "open to the public…and accountable to a duly constituted public authority for its results." Durant (1997) suggests that a "public school should be a school *the public chooses to have.* Universal access should mean *universal opportunities and choices"* (p. 362, emphasis in original). Writing for the SBE, Allen (1996) advances a much clearer, yet sparse, conception: "Public Education may be defined instrumentally as the provision for well nigh universal literacy and numeracy." Hence, this alternative definition asserts that the "public" aspect is evident in issues of how the agency acts as an instrument in serving its consumers as they pursue academic outcomes, rather than in institutional arrangements such as processes, ownership, or governance established around political ideals.

Proponents of "public" education in the common school era argued for state administration of education largely on moral and ideological grounds by appealing to abstract values—democracy, "the Republic," the common good (Lubienski, 2001a). Currently, people within the education "establishment" make similar idealistic claims for the value of public schooling, arguing for an appreciation of the wider societal worth of public schools (e.g., Covaleskie, 1994; Houston, 1997; Molnar, 1996). Collective goals such as

democracy, equity, social cohesion and so forth are typically implemented through institutional means (Chubb & Moe, 1990, ch. 2), putting advocates of such goals in the position of defending institutional structures that are seen as means of achieving these abstract ends. (Ironically in the present political context, many "liberal" advocates of public education are then by default the apologists for an institutional status quo—where organizational structures make institutions inherently conservative in being resistant to change.) On the other hand, radical reformers challenge such institutional bases for educational provision, arguing instead to put the focus on the needs of immediate users—most often, "the children"—not an abstraction or an institutional status quo.

Thus, in opposing traditional conceptions based on *institutional* issues of public administration and ownership of schools, this alternative definition takes an *instrumentalist* approach in identifying the "public" aspect of schooling simply in the act of offering or consuming academic training (see e.g., Brouillette, 2001; DeWeese, 1994). That is, for the last century and a half, "public education" has been regarded in institutional terms as schooling financed, administered, and governed by "the public" (in contrast to private or church schooling); the new conception holds that public schooling can be accomplished through public or private institutions, so long as they act to impart academic skills to the public. According to this logic, this can be accomplished in the same way that a range of public and private institutions currently offer social services: private restaurants can nourish their patrons as well as any government program feeds "the public;" for-profit media outlets complement public broadcasting in providing knowledge of public affairs to "the public" audience of consumers—so long as the organization operates for clients freely choosing its services.

This instrumental conception is evident in the SBE's (1995a, 1995b) proposed definition of public schooling, which declares that "schools should be defined by mission" of "the provision of teaching for learning academic skills and knowledge..." This conception "provides...greater public school options by defining public schools and districts by mission... [and] focuses the enterprise of public schools upon their primary mission of providing teaching for learning academic skills and knowledge." The SBE recommendation: "Define public schools as a public organization, corporation, or agency." Durant (1997) is both descriptive and prescriptive on how this definition would look in operation:

> ...we must also have multiple educational providers who have the motivation of ownership and accountability. Let's have public corporations for a new kind of public education. Let's allow educational entrepreneurs to raise capital in the public markets... enormous resources are available... Banks and financial service companies might start a school of business and finance. Automobile makers and their suppliers might start a school for engineers and other related professions. Our houses of faith can create and/or expand existing schools to offer a program to touch the heart and not just the mind. (pp. 363-4)

This proposed conception of "public education" represents a key shift in popular understandings of public institutions. This instrumentalist perspective has profound implications in that it broadens the definition of "public" school to include private, parochial/religious, and for-profit schools so long as their "primary mission" is "teaching and learning academic skills and knowledge." Thus, under the instrumentalist approach, "public" schools encompasses charter schools, but could also include other independent schools supported by publicly or privately funded vouchers, for instance. For instrumentalists, public education could also include home-schooling or educational services purchased from for-profit corporations by individual families—so long as the activity serves an academic mission.

Education as a Private Good

By focusing only on the act of educational provision, the rhetoric around charter schools in Michigan effectively obscures the monumental transformation in the nature of how we perceive education. In fact, some reformers are very clear that people should pursue education as a privately owned good, and, consequently, that schools should operate as private businesses in supplying that service. This belief emerges from an instrumentalist perspective on the political economy of public education, particularly regarding the appropriate roles for government, families, and economic forces in universal education—even private interests and institutions can serve a public need. Thus, as one SBE member noted, the "board does have what [critics] call an ideology and what I call a guiding principle. It's based on the proper role of government and parents in education and a belief that markets can produce" (quoted in Hornbeck, 1995).

This faith in the market is evident in how reformers portray schools as businesses, and parents as customers. Thus, for the executive director of TEACH Michigan, there is one explanation for a school losing students: "People leaving is a clear sign that the school isn't

doing everything it could to satisfy parents" (quoted in Van Moorlehem, 1996). In another forum, he notes that the success of a school depends on treating education as private property (Taylor, 1996; see also Durant, 1997; TEACH Michigan, 1996). DeWeese (1994, pp. 33, 34) also believes educational improvement can happen only when the system is "customer-driven"—where schools must "attract and retain their students."

Reformers make consistent reference to the "customer"—an economic, rather than political characterization. DeWeese (1996a) claims that a "decade of research has shown that schools run better when they treat families as valued customers" (see also Hetzler, 1997). But who is the "customer"—the student, the parents, employers, the taxpayers, society? One SBE candidate, the CEO of a family business who was supported by Durant, offered a specific definition: "In our education system, the customer is the parent and child" (Mayes, 1996).

Yet identifying the customer as those who do the choosing (or learning) obscures other legitimate interests in universal education (Lubienski, 2000). For instance, some point to potential employers as the "consumers"—since businesses hire skilled graduates, they should have a voice in shaping the "products" of schooling. One charter school founder contends that he serves "the true customer—the parent and the potential employer" (Andrejevic, 1995b). In fact, business groups provide a substantial portion of the funding for TEACH and the Mackinac Center; DeWeese (1994, p. 33) lists TEACH Michigan's alliances with "all the major business groups in the state." The interests of employers in hiring trained employees often leads them to promote specific mandated standards—offering a counterpoint to calls for exclusive family control. Thus, in one telling instance, Durant was caught between a business faction seeking strong central leadership from the state in mandating a core curriculum, and a more libertarian element that feared big government and valued very de-centralized control. His solution was to allow the market to set standards.

> The challenge we face in Michigan is to move to a free marketplace system of higher, world class platform standards. Mandates carry a promise of performance with no guarantees of performance. The State Board is committed to diminishing regulatory oversight, and at the same time, unleashing the power of choice and competition to education. If schools don't perform on a consistent basis up to the levels of performance desired by parents and students, their doors should be closed unless they can develop satisfactory performance. If a school cannot attract customers, it should change its ways or close its doors. (Durant, 1996; see also Michigan Department of Education, 1996).

Therefore, reformers appear to believe that constituencies conflicting over the role of the state in dictating school activities can be mediated through an instrumentalist approach to public education. Public education will be driven by the individualized and self-interested pursuit of schooling as a private good provided through business-style arrangements.

Discussion

Instrumentalism, Charter Schools, and Public Education

Currently, prominent reforms in the US and elsewhere use an instrumentalist approach to elevate market mechanisms for the provision of public services. These reforms have proven to be extremely popular with policymakers in many states in the form of charter schools, for instance. However, a foundational element of their popularity is the charter school's claim to be a "public" school.

In Michigan, instrumentalists promote charter schools as a way to shape debates over education reform, and to cultivate public acceptance of "more radical" models of market-driven education in the future. To that end, they attack the "political" nature of traditional public schooling as an impediment to effective educational services, casting their own market-based agenda as politically neutral, and promoting charter schools in order to blur popular distinctions between public and private schooling. While this analysis outlines elements of this strategy, it has largely bypassed a key issue underlying this reform. If instrumentalists promote charter schools in order to redefine public education as a private good, then to what extent are charter schools "public" schools?

Certainly, as reformers note, charter schools are public in terms of funding, access, and ownership. For example, as McGriff remarks regarding Edison's schools, "It's not privatization… No one is selling a school. It's a public-private partnership. We're bringing resources to a public entity. We're responsible to a public authority and we operate as other public schools operate" (quoted in Williams, 1999). On the other hand, historical analyses that compare charter schools to the common school model of public education, for instance, problematize that claim in view of other considerations such as governance (Beadie, 1999; Beale, 1997; Lubienski, 2001a; Waks, 1996). Likewise, studies of organizational behavior

suggest that charter schools operate like private schools in many ways, including student selection and conditions of employment (e.g., Dykgraaf & Lewis, 1998; Horn & Miron, 2000; Johnson & Landman, 2000; Urahn & Stewart, 1994; Zollers & Ramanathan, 1998).

However, inducing public schools to act more like private organizations is partly the point of these reforms. Indeed, while proponents of charter schools would say that they are under democratic control in that the chartering agency must be a "duly-constituted public authority," certainly, the admitted and primary impetus behind the charter movement is to promote efficiency and effectiveness by weakening forms of political control in favor of the market mechanisms of consumer choice and competition between providers (see DeWeese, 1993, 1996a; Finn, 1997; Manno et al., 1998; Nathan, 1996, 1998; Vanourek et al., 1997). Finn, Manno, and Vanourek (2000) argue that charter schools animate a form of accountability superior to that of the politically administered system. After all, as one advocate notes, "the charter school's success is tied directly to market forces" (McLellan, 2001, p. 24).

The Allure of Anti-Politics in the Instrumentalist Approach

Instrumentalists in Michigan demonstrate a striking hostility toward political control of schooling, favoring instead an elevated role for the market. Several market proponents on the national level have noted the fact that they see democratic control as the primary problem with public education (e.g., Chubb & Moe, 1990; Peterson, 1998). Many instrumentalists in Michigan implicitly diagnose the ills of public education as democratic control, using terms like "politicized," "bureaucratic," or "government schools" as criticisms. The author of Michigan's charter school legislation explicitly endorses efforts to dismantle democratic governance of public schooling (McLellan, 2001).

Of course, in recent years, "politics" has become somewhat of a dirty word. Critics use the term when describing waste, inefficiency, special interests, and bureaucratic mismanagement. However, such negative connotations also obscure the democratic aspects associated with American politics—a perspective to which most people still ascribe some value. Nevertheless, there is still something attractive—on the surface, at least—in the promise to rationalize the school system around individual consumer preferences, ridding it of conflict and ending its role as an area of contested terrain in American society. However, even if this is a worthy goal, it may not be possible.

An area such as education necessarily involves competing goals (Kahlenberg, 2000; Labaree, 1997) and visions of "the good life" as an end embedded in the promise of education—visions that necessarily conflict in a pluralistic society. Therefore, public education is inherently politicized. Efforts to de-politicize schooling by encouraging each individual to pursue only his or her vision as an end—while, at first glance, enticing as a neat and conflict-free alternative to messy and conflict-ridden political processes—neglect the prior interest and claim that each member of society has in and on the education of others (Lubienski, 2000). (This interest is most evident in instances where taxpayers are asked to finance the education of others, and should therefore have a right and responsibility in shaping that education, usually through political processes). Thus, proposals to "de-politicize" education in hopes of making schools more effective instruments of learning, while seductive on the surface, are either intellectually dishonest, disingenuous, or shortsighted.

Indeed, democratic politics are messy and inefficient (Hirschman, 1970; Labaree, 2000). As the site for debate between conflicting interests, change can happen slowly, and its direction is not perceived as "progress" by all competing groups, especially those seeing themselves as underrepresented or even betrayed by democratic (including judicial) processes (Plank & Boyd, 1994). On the other hand, Michigan's charter school advocates see the market as a pure, politically neutral mechanism that avoids conflicting claims while efficiently distributing resources for education. However, reformers obscure an important dynamic in claiming that "decentralization" of authority to local communities, families, and consumers makes politicized institutions of elected school boards and district bureaucracies obsolete. Whereas these institutions previously shielded individuals from various political and economic forces, and served as vehicles for local preferences at intermediate levels, devolution can also mean that individual citizens and atomized communities are more susceptible to powerful centralized bureaucratic and business forces (Whitty, Power, & Halpin, 1998)—be they regulatory directives from centralized bureaucracies, or corporate policies from the head office of the education management organization (EMOs). Thus, although instrumentalists present themselves and their ideas as "above" politics—embedded in the apolitical neutrality of the market—in Michigan, charter schools are immersed in politics, were created through political processes, and have real political consequences.

Privatized Governance and Diminished Public Control

Those consequences are perhaps best illuminated in terms of the denigration of the role of the average citizen through instrumentalist-driven reforms in public education. In this, Michigan is a particularly illustrative example. Currently, approximately three-quarters of Michigan's charter schools are operated by for-profit corporations. Indeed, chartering agencies often prefer that applicants contract with these chains—rather than attempt to operate the school independently—because these EMOs have access to private capital markets, and they can better realize economies of scale in operating budgets (Hill et al., 2001). Unlike the politically governed district model for public school administration, these EMOs are in essence *private super-districts* not bound by geography, nor distracted from the mission by local political opposition or recall elections. They are attractive to policymakers in that they operate as businesses, and thus are perceived to increase efficiency and enhance responsiveness and accountability to immediate consumers.

Therefore, with Michigan's charter schools, channels for expressing educational preferences (and/or dissatisfaction) are now more immediate for parents, which makes schools more responsive to them. If parents find something about a charter school to be objectionable, they can talk to the teacher or building administrator; if the concern is not addressed, parents have the economic-style option of withdrawing the student (and the per-capita funding) from the institution and finding a more preferable school. The options are neat and immediate.

However, while some argue that reforms such as charter schools can increase local citizen involvement in education (Mintrom, 2001), geographic constructs such as local neighborhoods and communities are almost always populated by more non-parents than parents. As public schools, charter schools are funded by citizens who typically pay taxes but have no school-age children. But if upset by the prospect of funding the teaching of evolution or sex education at the local charter school—without a child through which to leverage the exit threat—a typical citizen has no direct democratic recourse through a local school board. Under district governance traditionally employed in the institutionalist model, that person could appeal to the institution most open to citizen participation in American democracy (albeit messy, inefficient, and underwhelmingly supported through voter turnout); the "direct democracy" attacked by critics represents a few steps from the citizen to the school.

Under this new instrumentalist model, that hypothetical citizen can complain to the EMO's corporate office, often out-of-state. But since the citizen, as a non-parent, has no real leverage with the company in the form of per-student funding, the corporation has essentially no incentive to consider such complaints. In lieu of any real voice in economic-style channels (that have been enhanced for parents as immediate consumers), this disaffected person could try traditional "political" avenues, since public school academies still maintain a degree of accountability to "duly-constituted public authority" (Finn, 1997). However, in Michigan this would likely mean an appeal to the appropriate official in an appointed position at a charter office at a state university run by a president selected by a governing board appointed by the elected governor. Meaningful leverage through democratic means is now greatly diminished. Democratic engagement is enhanced for local parents choosing charter schools, but is now much less direct for the majority of citizens and taxpayers.

Reformers advancing the instrumentalist approach propose that education be treated as a private good—not by those paying for the schools, but only by those using schools at public expense. One choice supporter, while applauding the severance of direct democratic control, notes that continued public funding represents "taxation without representation" for the majority of citizens (Payne, 2000)—as if patrons of a public library who happened to have a book out at a given time assumed control of the institution, deciding on fees and regulations, while requiring taxpayers in general to pay for the institution over which they can have no immediate control (Rogers, 1992). However, in the case of schools, the ways in which children are (or are not) educated has obvious implications for, and effects on, the larger community—hence the public interest not only in funding, but in maintaining some degree of governance in schooling (Labaree, 2000; Lubienski, 2000). Effectively disenfranchising most voters for the sake of increased accountability to immediate users neglects legitimate public interests in the public-good nature of education. Thus, when we talk of empowering local communities, we are, in fact, talking of communities defined not by residence, citizenship, or even interest, but by user or consumer-type relations.

Advocates and skeptics debate the role of charter schools in wider reform movements: as a precedent to privatization, or as an end in itself which pre-empts privatization by satisfying parental preferences to choose. The evidence from Michigan indicates that reformers there viewed charters as a key vehicle for advancing an agenda of market-oriented

reforms for Michigan. In doing so, they employed an instrumentalist perspective in identifying schools such as charter schools as "public" education. Thus, because charter schools are a key element in efforts to reconstruct education as a private good, they represent a form of privatization, even if they are publicly funded, owned, accessible, and accountable to public authorities. In the instrumentalist model, schools—regardless of whether they are public or private in the institutionalist sense—are to be pursued as a private good. Hence, the instrumentalist approach reconfigures the purpose and pursuit of public schooling into an individualized private commodity by transforming its immediate users into consumers who compete in the marketplace for access to the most valued services.

Conclusion

Debates over the nature of charter schools tend to gravitate towards minimalist analyses that identify education institutions in either/or dichotomies. This analysis avoids such stark generalizations, asking not simply *if* schools are public or private, but *in what ways* organizational forms can serve particular agendas and interests. The case offers some intriguing insights into the overt re-construction of public education—as a public endeavor re-conceived as a private good. While not representative, this case epitomizes the conflict over competing conceptions of how we define "public education." Such conflicts are more than simple rhetorical scuffles, but have profound implications for the definition and scope of "the public" that pays for schools, that governs schools, that uses or "consumes" schooling, and to which schools are to be held accountable. The analysis considers reformers' strategies in reconstructing the public nature of schooling through charter schools, and highlights the use of charters as a key element in a broader agenda of educational privatization.

Too often the focus of privatization debates has been on supply side issues of institutional ownership, neglecting demand-side concerns of who is empowered as a consumer (and who is not), and how they will pursue schooling in competition with others (Lubienski, 2001c). By taking into account this less recognized consideration, this analysis suggests we may be witnessing a process of commodification of a public good. That is, from the vantage point of consumers in a competitive environment envisioned by

instrumentalists, it makes little difference whether the school is public or private, since reformers have redefined education as a good to be pursued primarily for individual private benefit. While charter schools are indeed "public" schools in many respects, it is more important to note the extent to which they are used by reformers such as in Michigan to advance an agenda that reconstructs education as a private good.

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